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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,
Plaintiff,

vs.

FRED WALKER,
Defendant.

2:03-CR-00516-PMP-PAL

ORDER

Before the Court for consideration is Defendant Walker's Motion to Modify Term of Imprisonment Pursuant to 18 U.S.C. § 3582(c)(2) filed January 12, 2012 (Doc. #130). On January 13, 2012, the Court Ordered the Appointment of Counsel for Defendant Walker (Doc. #131). On March 8, 2012, the Office of the Federal Public Defender for the District of Nevada filed its Motion Regarding Sentencing Reduction (Doc. #133), advising the Court that after review of Defendant Walker's eligibility for reduction in a sentence pursuant to Amendment 750 to the United States Sentencing Guidelines, no motion for further reduction of sentence would be filed.

On March 21, 2012, Plaintiff United States filed its Opposition to Defendant Walker's Motion for Sentence Reduction (Doc. #134).

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1 Having read and considered the foregoing, and it appearing therefrom that
2 Defendant Walker's statute-based sentence was unaffected by Amendment 750, this
3 Court lacks discretion to reduce his sentence under 18 U.S.C. § 3582(c)(2).

4 **IT IS THEREFORE ORDERED** that Defendant Walker's Motion to
5 Modify or Reduce Sentence (Doc. #130 & #133) are **DENIED**.

6 DATED: March 26, 2012.

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11 PHILIP M. PRO
12 United States District Judge
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